

THE FIFTY-EIGHTH DAY

CARSON CITY (Tuesday), April 5, 2005

Senate called to order at 11:13 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Jeff Paul.

Gracious God, known by many names,

You have bound us together in a common life. Help us in the midst of our struggles for justice and truth, to confront one another without hatred or bitterness and to work together with mutual forbearance and respect. In Your Name, we pray.

AMEN.

Pledge of allegiance to the Flag.

Senator Raggio moved that further reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Madam President:

Your Committee on Government Affairs, to which was referred Senate Bill No. 301, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WARREN B. HARDY II, *Chair*

Madam President:

Your Committee on Human Resources and Education, to which was referred Senate Concurrent Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

MAURICE E. WASHINGTON, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 4, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 16, 97, 178, 205, 227, 243, 327, 404.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Washington moved that Senate Bill No. 32 be taken from the General File and placed on the Secretary's desk.

Remarks by Senator Washington.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Finance:

Senate Bill No. 496—AN ACT making an appropriation and authorizing the expenditure of federal money for early funding for the design of the Las Vegas Readiness Center; and providing other matters properly relating thereto.

Senator Raggio moved that the bill be referred to the Committee on Finance.

Motion carried.

Assembly Bill No. 16.

Senator Nolan moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Assembly Bill No. 97.

Senator Nolan moved that the bill be referred to the Committee on Finance.

Motion carried.

Assembly Bill No. 178.

Senator Nolan moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Assembly Bill No. 205.

Senator Nolan moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 227.

Senator Nolan moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Assembly Bill No. 243.

Senator Nolan moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 327.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

Assembly Bill No. 404.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 23.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 30.

Amend section 1, page 2, by deleting lines 28 and 29 and inserting:

"provisions of this section, including, without limitation, regulations:

(a) To carry out the standards developed by the Office pursuant to subsection 3; and

(b) Concerning the extent to which a person who uses a signature stamp and a person, government, governmental agency and political subdivision of a government which treats a signature stamp as the signature of a person pursuant to this section may incur liability related to the use or treatment of the signature stamp."

Amend the title of the bill, third line, after "circumstances;" by inserting: "requiring the Department of Human Resources to adopt regulations governing the use of a signature stamp including the extent to which persons and governmental entities may incur liability related to the use of a signature stamp;"

Senator Carlton moved the adoption of the amendment.

Remarks by Senators Carlton, Amodei and Titus.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 33.

Bill read second time.

The following amendment was proposed by the Committee on Transportation and Homeland Security:

Amendment No. 26.

Amend section 1, page 2, by deleting line 8 and inserting:

"(c) Material published electronically by the Department, including, without limitation, material posted on the Internet website of the Department."

Amend the title of the bill, sixth line, by deleting: "printed material published" and inserting: "material published electronically".

Senator Nolan moved the adoption of the amendment.

Remarks by Senators Nolan, Care and Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 34.

Bill read second time.

The following amendment was proposed by the Committee on Transportation and Homeland Security:

Amendment No. 27.

Amend section 1, page 1, line 15, by deleting "\$14.50" and inserting "\$13.50".

Amend section 1, page 2, line 3, by deleting "\$19.50" and inserting "\$18.50".

Amend the title of the bill, first line, by deleting "increasing" and inserting "decreasing".

Amend the summary of the bill to read as follows:

"SUMMARY—Decreases fees for issuance and renewal of noncommercial drivers' licenses. (BDR 43-241)".

Senator Nolan moved the adoption of the amendment.

Remarks by Senator Nolan.

Amendment adopted.

Senator Nolan moved that Senate Bill No. 34 be rereferred to the Committee on Finance upon return from reprint.

Remarks by Senator Nolan.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 41.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 50.

Amend section 1, page 1, line 9, by deleting "\$2,000," and inserting "\$2,500,".

Amend section 1, page 2, line 1, by deleting "\$2,000," and inserting "\$2,500,".

Senator Amodei moved the adoption of the amendment.

Remarks by Senator Amodei.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 118.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 72.

Amend section 1, page 2, by deleting line 6 and inserting: "*county coroner created pursuant to NRS 244.163.*".

Amend section 1, page 2, line 9, by deleting "*an*" and inserting "*the*".

Amend sec. 4, page 4, line 13, after "*of*" by inserting "*the*".

Amend sec. 5, page 4, line 35, by deleting "*by ordinance*".

Amend sec. 5, page 5, line 3, by deleting "*The*" and inserting: "*Except as otherwise provided in subsection 8, the*".

Amend sec. 5, page 5, line 9, by deleting "*and*".

Amend sec. 5, page 5, by deleting line 10 and inserting:

"(c) Training an ex officio coroner and his deputies on the investigation of deaths; and

(d) The purchase of specialized equipment for the office of the county".

Amend sec. 5, page 5, by deleting lines 12 and 13 and inserting:

"6. Any money remaining in the account at the end of any fiscal year does not revert to the county general fund and must be carried forward to the next fiscal year.

7. Before the end of each fiscal year:

(a) The board of county commissioners of each county that constitutes a coroner's district pursuant to NRS 259.010 shall designate the office of a county coroner created pursuant to NRS 244.163 to receive the money in the account.

(b) The county treasurer of each county that constitutes a coroner's district pursuant to NRS 259.010 shall transfer all money in the account to the county treasurer of the county in which the office of the county coroner designated pursuant to paragraph (a) is established.

(c) The county treasurer of the county in which the office of the county coroner designated pursuant to paragraph (a) is established shall:

(1) Deposit all the money received pursuant to paragraph (b) into the account created in that county pursuant to subsection 1; and

(2) Account for the money received from each county in separate subaccounts.

8. The office of the county coroner designated to receive money pursuant to subsection 7 may only use the money in each subaccount and any interest attributable to that money to pay expenses which are incurred in the county from which the money was transferred and which relate to the training of an ex officio coroner and his deputies on the investigation of deaths."

Amend sec. 7, page 6, line 15, after "2." by inserting: "Any copy of a prescription for a controlled substance or a dangerous drug as defined in chapter 454 of NRS that is issued to a county coroner, medical examiner or investigator employed by an office of a county coroner must be limited to a copy of the prescription filled or on file for:

(a) The person whose name is on the container of the controlled substance or dangerous drug that is found on or near the body of a deceased person; or

(b) The deceased person whose cause of death is being determined.

3."

Amend sec. 7, page 6, line 22, by deleting "3." and inserting "{3-} 4."

Amend sec. 7, page 6, line 27, by deleting "4." and inserting "{4-} 5."

Amend sec. 7, page 6, line 34, by deleting "5." and inserting "{5-} 6."

Amend the title of the bill, third line, by deleting "coroners" and inserting "coroners;".

Senator Amodei moved the adoption of the amendment.

Remarks by Senators Amodei, Carlton, Titus, Nolan and Cegavske.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 287.

Bill read second time.

The following amendment was proposed by the Senate Committee on Transportation and Homeland Security:

Amendment No. 94.

Amend the bill as a whole by adding the following Assemblyman as a primary joint sponsor: Assemblyman Horne

Senator Nolan moved the adoption of the amendment.

Remarks by Senators Nolan and Townsend.

Amendment adopted.

Senator Nolan moved that Senate Bill No. 287 be rereferred to the Committee on Judiciary upon return from reprint.

Remarks by Senator Nolan.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

Senate Bill No. 449.

Bill read second time and ordered to third reading.

Assembly Bill No. 94.

Bill read second time and ordered to third reading.

Assembly Bill No. 95.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 72.

Bill read third time.

Remarks by Senator Washington.

Roll call on Senate Bill No. 72:

YEAS—21.

NAYS—None.

Senate Bill No. 72 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 149.

Bill read third time.

Remarks by Senator Titus.

Conflict of interest declared by Senator Titus.

Roll call on Senate Bill No. 149:

YEAS—18.

NAYS—Care, Carlton—2.

NOT VOTING—Titus.

Senate Bill No. 149 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 197.

Bill read third time.

Roll call on Senate Bill No. 197:

YEAS—21.

NAYS—None.

Senate Bill No. 197 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 257.

Bill read third time.

Roll call on Senate Bill No. 257:

YEAS—20.

NAYS—None.

NOT VOTING—Beers.

Senate Bill No. 257 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 1.

Resolution read third time.

Roll call on Senate Joint Resolution No. 1:

YEAS—21.

NAYS—None.

Senate Joint Resolution No. 1 having received a constitutional majority, Madam President declared it passed, as amended.

Resolution ordered transmitted to the Assembly.

Senator Hardy moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 11:58 a.m.

SENATE IN SESSION

At 12:04 p.m.

President Hunt presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Hardy moved that the action whereby Assembly Bills Nos. 178, 227 were referred to the Committee on Government Affairs be rescinded.

Remarks by Senator Hardy.

Motion carried.

Senator Hardy moved that Assembly Bills Nos. 178, 227 be referred to the Committee on Judiciary.

Remarks by Senator Hardy.

Motion carried.

REPORTS OF COMMITTEES

Madam President:

Your Committee on Government Affairs, to which was referred Senate Bill No. 420, has had the same under consideration, and begs leave to report the same back with the recommendation: Rerefer to the Committee on Human Resources and Education.

WARREN B. HARDY II, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Hardy moved that Senate Bill No. 420 be rereferred to the Committee on Human Resources and Education.

Remarks by Senator Hardy.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Care, the privilege of the floor of the Senate Chamber for this day was extended to Bob Burrows.

On request of Senator Cegavske, the privilege of the floor of the Senate Chamber for this day was extended to Allen Batts and Jeff Hobensack.

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Linda Barrett.

On request of Senator Heck, the privilege of the floor of the Senate Chamber for this day was extended to Jim Jackson.

On request of Senator Horsford, the privilege of the floor of the Senate Chamber for this day was extended to Lawrence Weekley.

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to David Brown, John Henricksen Sr. and John Henricksen Jr.

On request of Senator McGinness, the privilege of the floor of the Senate Chamber for this day was extended to Renee Billman and Melissa Cook.

On request of Senator Nolan, the privilege of the floor of the Senate Chamber for this day was extended to the following members of the California/Nevada Automobile Wholesalers Association: Rodney Pierini, Jennifer Zins, Julie Snyder, Scott Condos, Kevin Loewen, David Finley, Mickey Yasser and Rob Simpson.

On request of Senator Tiffany, the privilege of the floor of the Senate Chamber for this day was extended to Steve Binau and Sam Metz.

On request of Senator Titus, the privilege of the floor of the Senate Chamber for this day was extended to William Flangas.

On request of Senator Washington, the privilege of the floor of the Senate Chamber for this day was extended to Todd Musser and Katie Finley.

On request of President Hunt, the privilege of the floor of the Senate Chamber for this day was extended to Lyle Burgess.

Senator Raggio moved that the Senate adjourn until Wednesday, April 6, 2005, at 11 a.m. and that it do so in memory of Pope John Paul II.

Motion carried.

Senate adjourned at 12:18 p.m.

Approved:

LORRAINE T. HUNT
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate